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October 14, 2005

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Ron Jones, Chairman  
Tennessee Regulatory Authority  
460 James Robertson Parkway  
Nashville, TN 37243

Re: ***In Re: BellSouth's Petition to Establish Generic Docket to Consider  
Amendments to Interconnection Agreements Resulting from Changes of Law  
Docket number: 04-00381***

Dear Chairman Jones:

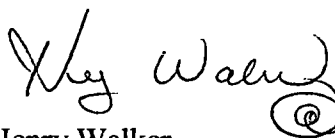
In response to the TRA's "Notice of Filing" issued on September 23, 2005, in the above-captioned proceeding, CompSouth submits the attached materials in response to this question from the Authority:

Please provide an explanation of the process Mr. Gillan used to determine his business line counts and all documents used in the process of calculating Mr. Gillan's business line counts.

The response consists of an explanation by CompSouth witness Joe Gillan, along with several exhibits, including an Excel spreadsheet in the form of a CD, marked proprietary.

Very truly yours,

BOULT, CUMMINGS, CONNERS & BERRY, PLC

By:   
Henry Walker

HW/djc  
Enclosure

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing has been forwarded via U.S. Mail, postage prepaid, to:

Guy M. Hicks  
BellSouth Telecommunications, Inc.  
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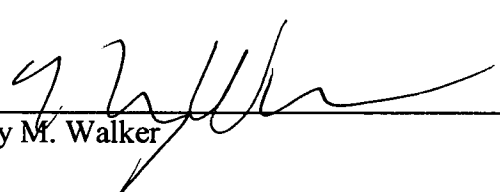
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John Heitmann  
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Washington, DC 20036

Charles B. Welch  
Farris, Mathews, et al.  
618 Church Street, Ste. 300  
Nashville, TN 37219

Dana Shafer  
XO Communications, Inc.  
105 Malloy Street, Ste. 100  
Nashville, TN 37201

on this the 14<sup>th</sup> day of October, 2005.

  
\_\_\_\_\_  
Henry M. Walker

**Please provide an explanation of the process Mr. Gillan used to determine his business line counts and all documentation used in the process of calculating Mr. Gillan's business line counts.**

**Explanation of Mr. Gillan's calculation:**

1. Mr. Gillan began his analysis with data from BellSouth's work papers showing BellSouth's calculation. The data was input for those wire centers in Tennessee where BellSouth was claiming non-impairment for high capacity loops and/or transport. This data is attached as "BellSouth Work Paper" worksheet.<sup>1</sup>
2. Mr. Gillan made two adjustments to BellSouth's worksheet (shown in the attached "Correcting BellSouth" worksheet).
  - a. The first correction was to remove the increase in Business Lines made by BellSouth by increasing the number of actual business lines to the maximum potential capacity of the digital loop serving the customer. BellSouth makes this adjustment in column (f), which is the difference between column (d – the actual number of voice grade channels being used by a Megalink subscriber) and column (e – the total maximum capacity of the high-capacity loop used to provide the Megalink service). This adjustment is labeled "Retail Correction" in the "Correcting BellSouth" worksheet.
  - b. The second correction adjusted the claimed number of UNE high-capacity facilities to remove an estimate of the percentage of such CLEC lines that are not used to provide switched business line service. (The FCC Business Line definition requires that the business line count "shall include only those access lines connecting end-user customers with incumbent LEC end-offices for switched services."<sup>2</sup>) The estimate prepared by Mr. Gillan assumed that the percentage of high-capacity facilities not used to provide switched business line services – i.e., the capacity in a DS1 or DS3 that is either empty or used to provide data services – is the same for CLECs as it is for BellSouth. This percentage is calculated as "1 minus the average fill rate" – i.e., one less the ratio of the *actual* capacity used to provide switched business line services (cell D18 on the attached "Correcting BellSouth worksheet) to the *maximum* potential capacity of the high capacity circuits used by BellSouth (cell E19). The actual value is shown in Cell E19. This correction is shown as the "UNE Correction" and is calculated by multiplying the "empty percentage" shown in Cell E19 times the total maximum capacity of the high-capacity UNEs leased to CLECs (the total of columns I, L and M).

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<sup>1</sup> Work papers are included as individual worksheets in the attached Excel file: "Response to TRA Discovery "

<sup>2</sup> C.F.R. § 51.5 Business Line

### **Additional Error in BellSouth Calculation**

A basic input to BellSouth's business line calculation is the number of UNE loop arrangements leased to CLECs in Tennessee. CompSouth has recently discovered information that indicates that BellSouth has either (a) been routinely filing incorrect UNE-L unit data with the FCC as part of its Form 477 Local Competition Report (which has been required since December 1999), or (b) BellSouth is double-counting those UNE loops used in combination with unbundled transport (otherwise known as an EEL) in developing its alleged business line count in this proceeding.

Form 477 is used by the FCC to collect statistics on local competition. As part of this report, BellSouth is required to provide, for each state, the number of UNE loop arrangements where switching is not provided. *See* Instruction for Line C.II-4 at the top of page 7 of Form 477 Instruction (attached here as Attachment A). In Form 477, these UNE-L are *not* to be reported as voice-grade equivalents, but are instead reported in units. (For instance, a DS-1 UNE Loop would be counted as 1 loop, not converted to voice grade equivalents). In accordance with the instructions for its Form 477 Local Competition Report, BellSouth should be reporting, for each state, all UNE-L that is not part of UNE-P, which would include all UNE loop arrangements that connect to UNE transport (otherwise known as an EEL).

The FCC routinely posts selected data from the Form 477 Local Competition Reports filed by the RBOCs, including the UNE-L unit data reported on Line C.II-4. This data can be found on the FCC's website at:  
<http://www.fcc.gov/wcb/iatd/comp.html> where it lists "Miscellaneous data from FCC Form 477" – "Selected RBOC Local Competition Data."

The data specific to December 2004 can be found at:  
[http://www.fcc.gov/Bureaus/Common\\_Carrier/Reports/FCC-State\\_Link/IAD/RBOC\\_Local\\_Telephone\\_Dec\\_2004.xls](http://www.fcc.gov/Bureaus/Common_Carrier/Reports/FCC-State_Link/IAD/RBOC_Local_Telephone_Dec_2004.xls).

The relevant data is attached here as Attachment B, which provides the number of UNE-L provided by BellSouth, by State. This attachment shows that BellSouth reported to the FCC that it had 39,453 UNE-L (loops without switching) in Tennessee in December 2004.

Although BellSouth presents its UNE-L data in this docket in "voice grade equivalent" form, the number of UNE-L VGE can be converted back to basic unit volumes so that it may be compared with the unit volumes reported to the FCC on the Form 477. This calculation is shown on lines 203 through 209 (columns I through L) on the "Comparing BellSouth to 477" worksheet in the attached Excel file. This comparison shows that BellSouth asserts here that there are 42,569 UNE loop arrangements in Tennessee, or 3,116 more UNE loop

arrangements than BellSouth shows in its Form 477 Local Competition filing for the same period.

During cross examination in Alabama, BellSouth identified the discrepancy in that state as being explained by the number of EELs (DS0, DS1 and DS3). That mathematical equivalency applies here (and other BellSouth states) – that is, the entire discrepancy is equal to the sum of the number of EELs. Because this error involves the highest capacity facilities, the effect on the number of business lines is substantial. Specifically, the 3,116 UNE-L EEL units are used by BellSouth to claim 78,373 additional business lines.

Although BellSouth implied in Alabama that the discrepancy is caused by their *not* reporting the number of EELs in their Form 477 filing, the instructions for that Form clearly indicate such UNE loop arrangements should be counted (Attachment A). Significantly, the discrepancy can also be explained by BellSouth *double*-counting EEL arrangements in this proceeding.

BellSouth's incentive is to *correctly* count UNE-L in its Form 477 Local Competition Reports to the FCC (where the competition shown by such reports would condition regulators to favor more flexibility for BellSouth), while BellSouth would gain by *incorrectly* inflating the number of business lines in this proceeding where the affect would be to limit its unbundling obligations under §251 of the Act. Because of these asymmetric incentives, CompSouth recommends that the Authority remove the double-counting of EELs from the business line data in this proceeding.<sup>3</sup>

Worksheet "477 Correction" eliminates the potential double-counting of UNE EEL arrangements (Column E) before correcting for BellSouth's inclusion of UNE-L capacity not used to provide switched business line service.<sup>4</sup> Attached to this discovery response are an Exhibit JPG-4a and JPG-5a that remove the effect of the double counting of EELs (Exhibit JPG-4a) and identify the appropriate wire center classifications based on the corrected data Exhibit JPG-5a).

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<sup>3</sup> If, in the future, BellSouth re-files all of its Form 477 Reports with the FCC and admits a longstanding error in preparing these reports, then the Authority could adjust any wire center classifications based on those future conditions. However, BellSouth should not benefit from filing conflicting UNE-L claims here and the FCC.

<sup>4</sup> Because the number of UNE-L is reduced by eliminating the potential double-counting of UNE EELs, the adjustment to UNE-L capacity is applied to a smaller base of UNE-L capacity.

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**Instructions for the Local Competition and Broadband Reporting Form, FCC Form 477 (For Filing Due 9/1/03)**

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FCC Form 477, Instructions for September 1, 2003 Filing (of data as of 6/30/03)

OMB NO. 3060-0816, Expiration Date: 11/30/2003

Estimated Average Burden Hours Per Response: 11 Hours

**Instructions for the Local Competition and Broadband Reporting Form (FCC Form 477)****I. PURPOSE**

The FCC Form 477 collects information on the deployment of broadband, local telephone and mobile telephony services from providers of these services. Data obtained from this form will be used to describe competition for local telecommunications services and deployment of broadband services. *See Local Competition and Broadband Reporting*, Order, FCC 00-114 (rel. March 30, 2000) for additional information about this collection.

**II. WHO MUST FILE THIS FORM?**

Three types of communications service providers must file this form:

- **Providers of Broadband Services:**

Facilities-based providers of broadband services (including incumbent and competitive LECs, cable companies, fixed wireless providers, terrestrial and satellite mobile wireless providers, MMDS providers, utilities, and others) must complete and file the applicable portions of this form for **each state** in which they provide **250 or more** "full or one-way broadband" lines (or wireless channels) or provide "full or one-way broadband" service to **250 or more** end user consumers. The applicable portions of the form are: 1) the Cover Page; 2) Part I; 3) Part IV (if necessary); and Part V. The term "state" includes the District of Columbia and the "Territories and possessions."

**Note:** an entity is considered a "facilities-based broadband provider" if it provides broadband services over facilities that it owns or provisions/equips as broadband. More specifically, "facilities-based providers" include entities that provide broadband services over their own "local loop" facilities connecting to end users, or over unbundled network elements (UNEs), special access lines, and other leased lines and wireless channels that they obtain from other entities and equip as broadband.

- **Providers of Local Telephone Services:**

Incumbent and competitive local exchange carriers (LECs) must complete and file the applicable portions of the form for **each state** in which they provide **10,000 or more** "voice-grade equivalent lines (or wireless channels)." For purposes of this threshold, filers need only consider the number of voice-grade equivalent lines (or wireless channels) that would be reported in Line D.II-7(a) of the form. The applicable portions of the form are: 1) the Cover Page; 2) Part II; 3) Part IV (if necessary); and Part V.

- **Providers of Mobile Telephony Services:**

Facilities-based providers of mobile telephony services (*see* 47 C.F.R. 20.15(b)(1)) must complete and file the applicable portions of this form for **each state** in which they serve **10,000 or more** mobile telephony subscribers. Firms providing mobile telephony services using spectrum obtained

via lease or other agreement with a Band Manager must also complete the applicable portions of this form. The applicable portions of the form are: 1) the Cover Page; 2) Part III; 3) Part IV (if necessary).

**Note:** Mobile telephony is defined as real-time, two-way switched voice service that is interconnected with the public switched network using an in-network switching facility that enables the provider to reuse frequencies and accomplish seamless handoff of subscriber calls.

**Important Note for All Providers about Calculating Reporting Thresholds:** Reporting thresholds are calculated based collectively on all commonly-owned and commonly-controlled affiliates operating in a given state. [See 47 U.S.C. § 153(1) (establishing a 10% equity interest as indicia of ownership).] That is, a provider must report for each state in which it and all affiliates collectively meet reporting thresholds. Such affiliates are, nevertheless, permitted to file forms for such states either combined or separately -- at their discretion.

### **III. LINE-BY-LINE INSTRUCTIONS FOR COMPLETING FCC FORM 477**

#### **A. Cover Page -- Name and Contact Information (All Filers)**

**Line 1:** Select from the drop-down menu the applicable filing status.

**Line 2:** Provide the name of the entity whose data is contained in the form.

**Line 3:** Select the category that best describes the type of technology that you use to provide services. Choose from Cable Coaxial, Fiber, Fixed Wireless, Mobile Wireless, Reseller, Satellite, Wireline Local Exchange Carrier, or Other.

**Line 4:** In general, you can combine operations in a state or report them separately. However, entities that are, or are affiliated with, an incumbent LEC must complete and file separate forms for their incumbent LEC and non-incumbent LEC operations. All filers should indicate whether this filing is for an incumbent LEC filing or a non-incumbent LEC filing.

**Line 5:** You must provide a single name, such as a holding company name, so that all affiliated or commonly operated companies can be identified. See "Important Note for All Providers about Calculating Reporting Thresholds," above, for more information on which companies should be considered to be affiliated or commonly-controlled. The Excel 97 spreadsheet version of the form (preferred) has a drop down box with standardized names. The Lotus 123 spreadsheet version of the form has a list of standardized names. If your company's name is not in the list, enter a name in the space provided.

**Line 6:** File a separate form for each state in which you meet the filing threshold. In this line, indicate the state for which you are filing data. The term "state" is defined to include the District of Columbia and the "Territories and possessions." See 47 U.S.C. § 153(40).

**Line 7:** Provide a contact name for the person who prepared this filing

**Line 8:** Provide the telephone number and e-mail address for the contact person listed in Line 7.

**Line 9:** File a revised form if you discover mistakes. Use Line 9 to indicate whether this filing is an original or a revised filing.

**Line 10:** Indicate whether you request non-disclosure of some or all of the information reported in the Form 477. You may request non-disclosure if you believe that this information is privileged and confidential and that public disclosure of such information would likely cause substantial harm to the competitive position of the filer. Note that if you request non-disclosure of some or all of the data, you must also file a public version of the form with such information redacted, as explained below in Sections IV-B and IV-C of the instructions.

**Line 11:** Indicate whether this file is a complete file or a redacted version of a complete file. *See* Sections IV-B and IV-C of the instructions for information on preparing a redacted file.

**B. Part I: Broadband (Broadband Providers Only)**

**INCLUDE in Part I:** In this section, broadband providers report information about their **full and one-way broadband lines/wireless channels** (for purposes of this section “lines”) in service to **end users**. **End users** are residential, business, institutional and government entities who use broadband services for their own purposes and who do not resell such services to other entities or incorporate such services into retail Internet-access services that they market to end users. Note that the end users of retail services delivered over the lines reported in Part I may be billed by the filer (including affiliates), by an agent of the filer, or by an unaffiliated entity. **Full broadband lines** are lines with information carrying capability in excess of 200 Kbps in both directions, simultaneously. **One-way broadband lines** are lines with information carrying capacity in excess of 200 Kbps in one direction (typically downstream) and less than or equal to 200 Kbps in the other direction (typically upstream). For purposes of this information collection, the information carrying capacity of a line or wireless circuit is the end user's authorized maximum usage (“speed”) on that line or wireless circuit. Filers must report broadband lines that they provide over their own “local loop” facilities connecting to end users as well as those provided over UNEs, special access lines, and other leased lines that the filer obtains from another entity and equips as broadband. **Do not** convert into voice-grade equivalent measures any lines reported in **Part I**.

**EXCLUDE in Part I:** Broadcast cable television service and other multi-channel video programming; video-on-demand type service unless it is bundled with Internet-type access or uses Internet-type delivery protocols; and channelized services which restrict the customer to both transmitting and receiving data at 200 Kbps or less. Exclude lines that connect two locations of the same customer (not to be reported anywhere on FCC Form 477) and special access and private line services that you believe are used for exchange telephone service (to be reported in Part II-C). Where a provider does not know whether a high capacity line or wireless channel is being used as a broadband line or as a telephone service line, it should report that line in Part II, on Line C.II-6. If you provide a line to another filer who is likely to include services provided over that line in its own report (for example, because the other filer equips the line or UNE as broadband), then that line should be reported in Part II-C of your filing.

**Report broadband lines on Lines I-1 through I-8** based on the technology employed by the part of the line that actually connects to the end user's premises. If different technologies are used in different directions, then report the line based on the direction for which you provide the greatest bandwidth.

**Lines**

**Important note about categorizing services to provide line counts:** In general, a single service offering should be reported in only one part of the form by a single reporter. In categorizing lines, base your response on the portion of the line or channel that connects to the end user's premises and the type of service that is provided. **Count only lines that are in service**, including lines that you provide to end



**Instructions for the Local Competition and Broadband Reporting Form, FCC Form 477 (For Filing Due 9/1/03)**

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users and lines that you provide to companies that in turn use those lines to provide broadband or telephone service to end users.

**Line A.I-1:** Report the number of broadband lines/wireless channels used to provide asymmetric xDSL service. **Do not** convert these lines into a voice-grade equivalent measure.

**Line A.I-2:** Report the number of broadband lines/wireless channels provided over other traditional wireline facilities including symmetric xDSL service. **Do not** convert these lines into a voice-grade equivalent measure.

**Line A.I-3:** Report the number of broadband lines/wireless channels provided over coaxial carrier systems (including hybrid fiber-coaxial systems) **Do not** convert these lines into a voice-grade equivalent measure.

**Line A.I-4:** Report the number of broadband lines/wireless channels provided over optical carrier terminations **at the end-user premises**. Note that broadband lines that are provisioned over optical fiber facilities elsewhere in the network should not be reported in this category. For example, lines provisioned as “fiber to the curb” do not qualify (because, by using a non-fiber “drop,” they are not “fiber to the home.”) **Do not** convert these lines into a voice-grade equivalent measure.

**Line A.I-5:** Report the number of broadband lines/wireless channels provided over satellite. **Do not** convert these lines into a voice-grade equivalent measure.

**Line A.I-6:** Report the number of broadband lines/wireless channels provided over terrestrial fixed wireless. **Do not** convert these lines into a voice-grade equivalent measure.

**Line A.I-7:** Report the number of broadband lines/wireless channels provided over terrestrial mobile wireless. **Do not** convert these lines into a voice-grade equivalent measure.

**Line A.I-8:** Report the number of broadband lines/wireless channels provided over all other technologies. **Do not** convert these lines into a voice-grade equivalent measure.

**Columns**

**Note about Reporting Percentage Breakouts:** Parts I, II, and III of Form 477 direct filers to provide percentages breakouts for specific line/wireless channel counts. If disaggregated counts exist for another purpose, then these must be used to calculate the requested percentage breakouts. However, filers are not expected to calculate percentages based on exhaustive counts performed solely for this task. Rather, where disaggregated counts do not exist, filers may provide good faith estimates of percentages based on the best information available to the filer. For example, if there is a pricing distinction between services provided to residential, small business and large business customers, then billing information should be used to estimate the percentage of lines provided to residential and small business customers. In the absence of such counts, however, filers should rely on studies done for other purposes, such as marketing and business plan information, demographic data, etc. A filer should conduct limited special studies only in the event that it cannot provide estimates that it reasonably expects to be accurate within plus or minus five percentage points.

**Column (a):** Report the number of total one-way and full-broadband lines/wireless channels ("lines") in service that are used to provide the type of service described in each of Lines A.I-1 through A.I-8, above.

**Column (b):** Report the percentage of total lines from column (a) that are in service to residential and small business end users (as opposed to large business, institutional, or other end users). In Part I, classify lines in service to end users as residential and small business if the end user takes a broadband service normally associated with residential customers. Such lines could be classified as residential and small business based on marketing information, such as demographics associated with the geographic area where the lines are provided.

**Column (c):** Report the percentage of total lines from column (a) that are provided over your own **local loop** facilities connecting to the end user's premises. Count as your own such facilities, those facilities that you (including your affiliates) actually owned as well as facilities that you obtained the right to use from other entities as dark fiber or satellite transponder capacity (and that you used as part of your own system). Do **not** include, in column (c), broadband lines that you provided over UNEs, special access lines, and other leased lines that you obtained from an unaffiliated entity and equipped as broadband.

**Column (d):** Report the percentage of total lines from column (a) that are billed to end users by the filer (including affiliates) or by its agents. Do not include in this percentage any lines reported in column (a) that are billed to an unaffiliated Internet Service Provider (ISP) that has incorporated the filer's broadband service into a premium Internet-access service marketed under the unaffiliated ISP's own name.

**Column (e):** Report the percentage of total lines from column (a) that deliver to the end-user consumer greater than 200 Kbps in both directions, simultaneously.

**Column (f):** Report the percentage of total lines from column (a) that deliver to the end-user consumer greater than 2 Mbps in both directions, simultaneously. Note that every line reported in this column would, by definition, also be reported in column (e). Thus, column (f) should not contain a greater percentage than column (e).

**C. Part II: Wireline and Fixed Wireless Local Telecommunications (Local Telephone Service Providers Only)**

**INCLUDE in Part II:** Report all **local exchange service lines** and all lines that are used for exchange access services that you do not report in Part I. Include lines you provide using wireline as well as fixed wireless technologies. Include any lines (or wireless channels) that you reported as broadband in Part I, but that your customer can switch between broadband and local exchange or exchange access service without you changing how the line (or wireless channel) is provisioned. See "Note for reporting channelized service" and definition of "voice telephone service," below, at page 6.

**EXCLUDE in Part II:** Do **not** report in Part II lines not yet in service, lines used for interoffice trunking, lines that connect two locations of the same customer, company official lines, or lines that you provide as a broadband service reported in Part I. Do not report in Part II transport lines between your switching center and Internet protocol, ATM or circuit switched networks, where you already are reporting the portion of the line between the end user and your switching center, even if you multiplexed those lines and provided higher capacity lines between your switching center and those networks.

**Note for reporting channelized service:** In **Part II-A** and **Part II-B**, providers are to report voice-grade equivalent lines. Count as one voice-grade equivalent line: traditional analog POTS lines, Centrex-CO extensions, and Centrex-CU trunks. Count lines based on how they are charged to the customer

rather than how they are physically provisioned. That is, when a customer is charged for channelized service, report the number of activated, charged-for channels rather than the theoretical capacity of the line. Examples: Count Basic Rate Integrated (BRI) Services Digital Network (ISDN) lines as two voice-grade equivalent lines. Report 8 voice-grade equivalent lines if a customer is charged for 8 trunks that happen to be provisioned over a DS1 circuit. If a customer is charged for a fully-channelized DS1 circuit, report 24 voice-grade equivalent lines. Lines reported in **Part II-C**, however, should **not** be reported in voice-grade equivalents, but should reflect actual circuit counts.

**Note for competitive LECs providing local exchange service over hybrid fiber-coaxial cable television systems:** If you cannot determine the number of lines from your records, you are permitted to report the number of subscribers.

### Lines

**Important note about categorizing services to provide line counts:** *see* this note, above, at page 3.

In **Lines A.II-1** (service provided to end users) and **Lines B.II-2 through B.II-3** (service provided to other carriers), report voice-grade equivalent lines (or wireless channels) used to provide voice telephone service. By “**voice telephone service**,” we mean local exchange or exchange access services that allow end users to originate and/or terminate local telephone calls on the public switched network, whether used by the end user for voice telephone calls or for other types of calls carried over the public switched network (for example, lines used for facsimile equipment or lines used occasionally or exclusively for “dial-up” connection to the Internet). Filers report voice telephone service in terms of voice-grade equivalent lines or wireless channels. Thus, a voice-grade equivalent line (or wireless channel) is a line or channel that directly connects an end user to a carrier and allows the end user to originate and/or terminate local telephone calls on the public switched network. Voice-grade equivalent lines include high capacity lines that are channelized to provide voice-grade service. *See* “Note for reporting channelized service,” above.

**Line A.II-1:** Report total voice-grade equivalent lines/wireless channels you provided – that is, billed – directly to end-user consumers. Include lines provided to end users by your agents or under traditional marketing arrangements. For example, include lines provided to shared-tenant service providers. Note that an Internet Service Provider (ISP) may be an end user of local exchange service lines.

**Line B.II-2:** Report total voice-grade equivalent lines/wireless channels you provided to unaffiliated telecommunications carriers under a Total Service Resale arrangement (i.e., provided pursuant to section 251(c)(4) of the Communications Act of 1934, as amended).

**Line B.II-3:** Report total voice-grade equivalent lines/wireless channels you provided to unaffiliated telecommunications carriers under other resale arrangements.

In **Lines C.II-4 through C.II-6**, report the actual number of lines billed to the customer (i.e., reflecting actual circuit counts). **Do not** convert into voice-grade equivalent measures any high capacity lines reported on Lines C.II-4 through C.II-6. As noted in the instructions for Part I, where a provider does not know whether a high capacity line or wireless channel is being used as a broadband line or as a telephone service line, it should report that line on Line C.II-6, rather than in Part I of its filing. Also, if you provide a line to another filer who is likely to include broadband services provided over that line in its own report (for example, because the other filer equips the line or UNE as broadband), then that line should be reported in Part II-C of your filing, not in Part I.

**Line C.II-4:** Report lines/wireless channels that you provided to unaffiliated telecommunications carriers under a UNE loop arrangement, where you do **not** provide switching for the line. Include the high frequency portion of the loop if sold as a UNE. **Do not** convert any high capacity lines provided under such UNE arrangements into voice-grade equivalent measures

**Line C.II-5:** Report lines/wireless channels that you provided to unaffiliated telecommunications carriers under a UNE loop arrangement, where you **also** provide switching for the line. (Note that the so-called “UNE-Platform” provided to telecommunications carriers is included here.) **Do not** convert any high capacity lines provided under such UNE arrangements into voice-grade equivalent measures.

**Line C.II-6:** Report special access lines that you do not provide as broadband. Also report private lines that connect an end-user premise to a telecommunications carrier and that you do not provide as broadband. Note that for lines reported on Line C.II-6, your customer may be either an end user or another telecommunications carrier. **Do not** convert lines reported on Line C.II-6 into voice-grade equivalent measures.

**Line D.II-7:** Report the total of the (voice-grade equivalent) lines/wireless channels reported in Lines A.II-1, B.II-2, and B.II-3.

### **Columns**

**Column (a):** For Lines A.II-1 (service provided to end users), Lines B.II-2 through B.II-3 (service provided to other carriers), and Line D.II-7 (total voice-grade equivalent lines in service), report voice-grade equivalent lines used to provide local exchange services. For Lines C.II-4 through C.II-6 (UNEs, and special access and private lines not provided as broadband), report the number of lines or wireless channels (*i.e.*, **not** the voice-grade equivalent of those lines or wireless channels) that are used for local exchange or exchange access services that you do not report in Part I.

**Note:** See note above, page 4, about reporting data on percentages.

**Column (b):** Report percentage of column (a) used for service billed to “residential and small business” customers. In Part II, consider your own end-user customer to be residential and small business if you provide fewer than four (4) voice-grade equivalent lines to that customer. Also, consider any lines you provide to a shared-tenant service provider in an apartment building to be residential and small business lines. For end-user lines you provide to other carriers (*i.e.*, under resale or UNE arrangements), classify lines as residential and small business if the carrier orders fewer than four (4) voice-grade equivalent lines for its use in serving a particular end user. If such information on the number of voice-grade lines to the end user is not available, you may estimate a comparable classification based on tariffs or on marketing information, such as demographic information associated with the geographic areas where the lines are provided.

**Column (c):** Report percentage of lines and wireless channels in column (a) provided over your own **local loop** facilities connecting to the end user’s premises. Count as your own such facilities, those facilities that you (including your affiliates) actually owned as well as facilities that you obtained the right to use from unaffiliated entities as dark fiber or satellite transponder capacity (and that you used as part of your own system). **Do not** include, in column (c), lines provided over UNE loops that you obtained from an unaffiliated carrier.

**Note for competitive LECs that own telephone switches:** A competitive LEC should include, in column (c), a line for which it provided its own switching **only if** it also owned (as just discussed) the local loop connecting to the end user's premises.

**Column (d):** Report percentage of column (a) provided over UNE loops obtained from an unaffiliated carrier, including UNE loops obtained on a stand-alone basis and also UNE loops obtained in combination with other UNEs (such as the UNE-Platform).

**Column (e):** In column (e), **incumbent LECs** should report the percentage of column (a) that they provided through switching centers in which another carrier had at least one operational collocation arrangement ("ILEC COLO switching center"). **Other reporting carriers** should report in column (e) the percentage of column (a) that the reporting carrier provided by means of a UNE loop that it obtained from another telecommunications carrier **and** connected to its own collocation arrangement. Note, in particular, that a competitive LEC therefore would **not** report in column (e) lines it served by means of the UNE-Platform. Note also that a competitive LEC providing lines on a pure resale basis would report 0% in column (e), even if some of its resold lines were served from incumbent LEC switching centers in which some other entity had a collocation arrangement.

**Note:** For the purposes of completing Part II, an "ILEC COLO switching center" is an incumbent LEC switching center in which one or more unaffiliated competitive LECs has an operational collocation arrangement as defined in 47 C.F.R. § 51.5. A switching center is a location containing one or more switches. Do not consider separate three-digit telephone prefixes as separate switching centers. Consider a remote as a separate switching center if a competing carrier could obtain a UNE loop **only** at the remote switch rather than at the host switch. This definition of a switching center is different from wire center based definitions of switching centers, which include all remote switch locations as switching centers. If collocation occurs only at a remote switch, treat all lines served at the remote as being provided at an ILEC COLO switching center and treat lines at the host switch as not being provided at an ILEC COLO switching center.

**Column (f):** For Line D.II-7, report percentage of column (a) carried over coaxial cable facilities used in the part of the line/wireless channel at the end-user location

**Column (g):** For Line D.II-7, report percentage of column (a) carried over fixed wireless facilities used in the part of the line/wireless channel at the end-user location.

**Column (h):** For Line D.II-7, report percentage of column (a) carried over all other facilities, including but not limited to twisted copper pair, used in the part of the line/wireless channel at the end-user location.

#### **D. Part III: Mobile Local Telephone (Mobile Telephony Providers Only)**

**Line A. III-1:** Report all mobile telephone subscribers served over your own facilities that give customers the ability to place or receive calls from the public switched telephone network. Include: satellite, cellular, and PCS telephone service & other terrestrial mobile services; and, units in service that combine voice telephone with other services. Report only mobile telephony subscribers that you serve using spectrum licenses you hold or manage, and not subscribers that you serve via resale of another firm's facilities.

**Note:** Exclude mobile services that customers cannot use to directly place calls to subscribers of ordinary telephone service, such as dispatch services and one-way or two-way paging services. Also exclude

voice services that permit communications between only a narrow range of locations such as automobile units that permit drivers to communicate only with a specific road service

**Column (a):** Report the total number of subscribers, as described above, in the state. Count as a subscriber a mobile handset, car-phone or other revenue-generating active voice unit that has a unique phone number and that can place and receive calls from the public switched network. Mobile telephony subscriber counts by state should be based on billing addresses, not area codes of telephone numbers provided to subscribers.

**Column (b):** Report the percentage of subscribers in column (a) that you bill directly to end users (as opposed to those units in service that were provided through resellers or distributors for pre-paid service).

**E. Part IV: Explanations and Comments (All Filers, only if necessary)**

Complete Part IV if you wish to furnish any explanatory information with your data. Filers should identify the Part and Line to which their comment applies in the columns provided.

**F. Part V: Zip Code Listings (Broadband Providers and Local Telephone Service Providers)**

**Line V-1:** Report the 5-digit Zip Codes -- for this state -- in which you provide service to end-user locations.

**Column (a):** If you file broadband information in Part I, you must provide a list of Zip Codes in the state in which you provide broadband service.

**Column (b):** If you file local exchange service information in Part II, then you must provide a list of Zip Codes in the state in which you provide local exchange service. Providers of mobile telephony services need not provide this information.

**Note:** These Zip Code lists should correspond to areas in which service is actually being used by customers, including "point Zip Codes" (i.e., a Zip Code assigned to a particular customer). The list should not include authorized territory in which you have no customers in service, planned build-out, location of facilities, etc. The list can be based on engineering information (such as maps showing actual service territory) or on billing information, such as the Zip Codes of actual customers. If the latter approach is selected, please review the resulting list and delete any Zip Codes which clearly are out of your service territory and which appear only because the billing address is likely different from the service address.

**IV. GENERAL INFORMATION**

**A. Where and When to File**

**1. When to File**

Service providers that meet the reporting thresholds must file the FCC Form 477 semi-annually:

- March 1<sup>st</sup> of each year: providers must file data as of December 31 of the preceding year.
- September 1<sup>st</sup> of each year: providers must file data as of June 30 of the same year.

## 2. Where to File

**All filers must deliver to the FCC the signed, original paper copy of the Certification Statement.** The Certification Statement is the single page that constitutes Section V of these Instructions. **Filers also must deliver completed Form 477(s) to the FCC, in electronic format.** Paper copies of completed Form 477s should not be submitted. Acceptable electronic formats are spreadsheet files attached to an e-mail message, or an IBM format 3 5-inch floppy diskette(s) or a compact disc(s) containing such files. Filers should submit completed Form 477(s) by **only one** delivery method (i.e., do not make duplicate filings of spreadsheet files) and should ensure that the delivery media is virus free using up-to-date virus detection software. Any floppy diskette or compact disc submitted should be **clearly labeled** to identify its contents by (at a minimum): FCC Form 477 (6/30/03 data), name of filer, whether the diskette or disc contains "complete" or (if relevant) "redacted" versions of Form 477, and (if multiple diskettes or discs are submitted) the states for which data are included.

**Attention:** Because of previous mail contamination, the Commission has had to take extraordinary precautions when receiving and handling ordinary posted mail. Floppy diskettes and compact discs likely will be rendered useless in the irradiation process applied to United States Postal Service (USPS) first-class mail, Express Mail, and Priority Mail addressed to the Commission. The Commission therefore encourages filers to submit Form 477(s) using **one** of the following alternatives.

**E-mail:** Completed Form 477(s) may be delivered as attachments to one or more e-mail messages sent to [FCC477@fcc.gov](mailto:FCC477@fcc.gov). The subject field of the e-mail should contain the following phrase: **FCC Form 477 due 9/1/03**. If the number of Form 477(s) is large enough to require multiple e-mails for successful delivery, the subject line should so indicate; for example: FCC Form 477 due 9/1/03 (message 1 of 3). Filers using e-mail to deliver Form 477(s) must also submit the signed, original paper copy of the Certification Statement, only, which they may do by USPS first-class mail addressed to: FCC FORM 477 (ATTN: WCB/IATD, Room 6-A220), Federal Communications Commission, 445 12th Street, SW, Washington, DC 20554. (Alternatively, filers may deliver the signed, original copy of the Certification Statement by one of the following methods.)

**Overnight delivery service other than USPS Express Mail or Priority Mail:** Floppy diskette(s) or compact disc(s) containing completed Form 477(s) -- accompanied by the signed, original copy of the Certification Statement -- may be delivered by *an overnight delivery service other than USPS Express Mail or Priority Mail* (e.g., UPS, DHL, Federal Express). Such deliveries must be addressed and delivered to: FCC FORM 477 (ATTN: WCB/IATD, Room 6-A220), Federal Communications Commission, 9300 East Hampton Drive, Capitol Heights, MD 20743. This location is open 8:00 a.m. to 5:30 p.m. Eastern time.

**Hand delivery or messenger delivery:** Hand and messenger deliveries are accepted, by the Commission's contractor, Vistrionix, Inc., at 236 Massachusetts Avenue, NE, Suite 110, Washington, DC 20002. These deliveries must be held together with rubber bands or fasteners; all envelopes must be disposed of before entering the building. All Form 477-filing materials delivered to this location must be clearly identified so as to be directed to: FCC FORM 477 (ATTN: WCB/IATD, Room 6-A220).

A filer who is unable to use one of these delivery methods should contact the Industry Analysis and Technology Division, Wireline Competition Bureau, at (202) 418-0940 or via TTY at (202) 417-0484.

## B. How to File

### 1. Preparation of Data Files

You must file your local competition and broadband deployment data using the electronic version of Form 477 that is available at [www.fcc.gov/formpage.html](http://www.fcc.gov/formpage.html) or by purchase from the FCC's duplicating contractor, Qualex International at (202) 863-2893; fax (202) 863-2898; TTY (202) 863-2897; e-mail [qualexint@aol.com](mailto:qualexint@aol.com). Form 477 will change over time, and filers must obtain the latest version for each filing period. Filers should also obtain the latest version of Instructions for Form 477.

The electronic version of Form 477 is provided in two formats: Excel 97 and Lotus 123 Version 5. The Excel 97 version contains drop-down boxes and some edit checks. The Lotus version should be usable in most spreadsheet programs. **Once you complete a filing, name the file in accordance with instructions provided below.** If you wish to assert confidentiality for any information provided in the filing, you must provide a redacted version of the file, renamed in accordance with the instructions provided below. If you do not provide a redacted version of the file using the proper file names, you risk having confidential information released.

**Note:** If you are required to complete a particular Part of Form 477, answer all the questions within that Part; if a particular question in that Part does not apply to you, enter the number "0" (zero) as your response. (If you are not required to complete a particular Part of Form 477, you may leave all cells in that particular Part blank.) For non-zero entries, enter all digits of the number. You may not move cells, insert or delete rows, or change the validation or formatting characteristics of any cell. **If the FCC cannot load your files into its databases as a result of modifications to the file, you will be required to correct and resubmit those files.** Filers must save each Form 477 as a **separate** spreadsheet file. Do not submit multiple Form 477 worksheets within a single Excel 97 workbook or as multiple levels in a single Lotus file. (Filers choosing to submit Form 477(s) on a floppy diskette(s), or compact disc(s), may place multiple spreadsheet files on a single diskette or compact disc.)

**Each file name must adhere to the following convention:**

SST#Hyearname.XLS or SST#Hyearname.WK4; where:

SS is the two letter post office abbreviation for the state.

T is a single character representing principal filing type. Since incumbent LEC (ILEC) data must be filed separately from non-ILEC data, this convention distinguishes the files. In addition, this character is used to distinguish refiled and redacted data. Use the following codes:

- A = original filing for non-ILEC operations
- B = original filing for ILEC operations
- C = original redacted filing for non-ILEC operations
- D = original redacted filing for ILEC operations
- E = revised filing for non-ILEC operations
- F = revised filing for ILEC operations
- G = revised redacted filing for non-ILEC operations
- H = revised redacted filing for ILEC operations



# is a "sequence number" (i.e., 1, 2, 3, etc.) to be used to differentiate what would otherwise be identically named files when the file names are constructed according to the convention specified here. If no such redundancy of file names occurs, use the number "1" in place of the character "#".

H is the half of the year of the data being filed Use:  
"J" for data as of June 30  
"D" for data as of December 31

year is the last two digits of the year of the data being filed (e.g., for the filing due September 1, 2003, reported data will be as of June 30, 2003, so 2003 = 03).

name is the name identified on Line 2 of the Cover Page of Form 477. If you use software that limits file names to 8 characters plus a three character file extension, then use a one-character name abbreviation and identify that name in the Certification Statement.

Example: NCB1J03BellSouth.XLS or NCB1J03BellSouth.WK4

## **2. Additional Directions for Filing**

Filers must submit the original, signed paper copy of the Certification Statement (which is the single page that constitutes Section V of these Instructions). **The Certification statement must be signed in ink by an officer of the filer of one of the legal entities whose data is included.** An officer is a person who occupies a position specified in the articles of incorporation (or partnership agreement), and would typically be president, vice president for operations, vice president for finance, comptroller, treasurer or a comparable position. If the filer is a sole proprietorship, the owner must sign the certification.

### **C. Requesting Confidentiality**

Some information from the FCC Form 477 may be made publicly available. Any respondent to this form may submit a request that information on the FCC Form 477 not be made routinely available for public inspection by so indicating on Line 10 of the Cover Page of the form and on the Certification Statement. *See also 47 C.F.R. §§ 0.457, 0.459, 1.7001(d), 43.11(c), Examination of the Current Policy Concerning the Treatment of Confidential Information Submitted to the Commission, FCC 98-184 (rel. Aug. 4, 1998).* Respondents seeking confidential treatment of data in an electronic file must provide a separate, redacted version of that file. Note that a redacted file must be given a different name from the complete version of the file, as specified above. Redacted data should be replaced with xxxxxx (note: enter precisely six x's) in the redacted version of the file.

### **D. Obligation to File Revisions**

Filers must submit a revised form if the filer discovers a significant error in the data. For counts, a difference amounting to 5 percent of the filed number must be refiled. For percentages, a difference of 5 percentage points is significant and must be refiled.

Revisions should consist of a certification statement and one or more electronic files. Carriers should refile all data for a state if one or more data element must be revised. A refiled Form 477 spreadsheet should contain all appropriate data for the state, not just the corrected figures. Note that files containing revisions must be given different names from the original filings, as specified above, Section IV-B.1.

**E. Compliance**

Service providers that are required to file the Form 477 but fail to do so may be subject to the enforcement provisions of the Communications Act and any other applicable law <sup>1</sup>

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<sup>1</sup> See 47 USC §§ 502, 503

V. CERTIFICATION STATEMENT

FCC Form 477 Local Competition and Broadband Reporting (ATTENTION: WCB/IATD, Room 6-A220)

CERTIFICATION STATEMENT

Check the method (use ONLY one) used to deliver completed Form 477(s) to the FCC. See Instructions, Section IV, for the proper address to use for each delivery method:

☐ E-mail ☐ Overnight service other than United States Postal Service  
☐ Messenger or hand delivery ☐ Other (specify: \_\_\_\_\_)

Also see Instructions, Section IV, for separate directions on how to submit the signed, original paper copy of this Certification Statement to the FCC.

This filing is an (check one) ☐ original filing ☐ revised filing

Organization name: \_\_\_\_\_

Number of files provided for this reporting period: \_\_\_\_\_

Year (of the data): \_\_\_\_\_ Data as of: [Check one: June 30\_\_\_\_; December 31 \_\_\_\_ ]

I certify that I am an officer of \_\_\_\_\_; that I have examined the information contained in the data files submitted and that to the best of my knowledge, information and belief, all statements of fact contained in such files are true and that said files represent an accurate statement of the affairs of the above named respondent as of the following date:  
\_\_\_\_\_

If I have requested non-disclosure of some or all of the information in FCC Form 477 by so indicating on Line 10 of the Cover Page of the form, I certify that this information is privileged and confidential and that public disclosure of such information would likely cause substantial harm to the competitive position of the respondent.

PRINTED NAME: \_\_\_\_\_

POSITION: \_\_\_\_\_

SIGNATURE. \_\_\_\_\_

DATE: \_\_\_\_\_

Persons making willful false statements in the report form can be punished by fine or imprisonment under the Communications Act, 47 U.S.C. 220(e).

CONTACT PERSON: \_\_\_\_\_

TELEPHONE: \_\_\_\_\_ E-MAIL: \_\_\_\_\_

FEDERAL COMMUNICATIONS COMMISSION

## VI. DISCLOSURE, PRIVACY ACT, PAPERWORK REDUCTION ACT NOTICE

The Privacy Act of 1974 and the Paperwork Reduction Act of 1995 require that when we ask you for information, we must first tell you our legal right to ask for the information, why we are asking for it, and how it will be used. We must also tell you what could happen if we do not receive it and whether your response is voluntary, required to obtain a benefit, or mandatory under the law. See Privacy Act of 1974, P.L. 93-579, December 31, 1974, 5 U.S.C. § 552a (e)(3), and the Paperwork Reduction Act of 1995, P.L. No. 104-13, 44 U.S.C. § 3501, *et seq*

Our legal right to ask for this information is sections 1.7000-1.7002, 20.15, 43.01, 43.11 of the Federal Communications Commission's rules require 47 C.F.R. §§ 1.7000-1.7002, 20.15, 43.01, 43.11. Your response is mandatory.

This collection of information stems from the Commission's authority under sections 4(i), 201, 218-220, 251-252, 303(r), 332, and 403 of the Communications Act of 1934, as amended, 47 U.S.C. §§ 154(i), 201, 218-220, 251-252, 303(r), 332, and 403, and section 706 of the Telecommunications Act of 1996. The data in the worksheet will be used to monitor the deployment of broadband services and the development of local telephone service competition. Selected information provided in the worksheet will be made available to the public in a manner consistent with the Commission's rules and orders.

We have estimated that each response to this collection of information will take, on average, 11 hours. Note that many companies will file multiple responses and that this estimated average reflects the fact that many companies will be required to file only a single service count that should be readily available from internal company records. Our estimate includes the time to read the instructions, look through existing records, gather and maintain the required data, enter the data in a Form 477 spreadsheet, prepare a floppy diskette or compact disc (if the filer decides to submit completed Form 477(s) by a method other than e-mail) and certification, and actually file the report. If you have any comments on this estimate, or how we can improve the collection and reduce the burden it causes you, please write the Federal Communications Commission, AMD-PERF, Washington, D.C. 20554, Paperwork Reduction Project (3060-0816). We also will accept your comments via the Internet if you send them to [jboley@fcc.gov](mailto:jboley@fcc.gov). Please DO NOT SEND COMPLETED FCC FORM 477 TO THIS ADDRESS.

Remember -- You are not required to respond to a collection of information sponsored by the Federal government, and the government may not conduct or sponsor this collection, unless it displays a currently valid Office of Management and Budget (OMB) control number. This collection has been assigned an OMB control number of 3060-0816.

The Commission is authorized under the Communications Act of 1934, as amended, to collect the personal information we request in this form. If we believe there may be a violation or potential violation of a statute or a Commission regulation, rule, or order, your filing may be referred to the Federal, state, or local agency responsible for investigating, prosecuting, enforcing, or implementing the statute, rule, regulation, or order. In certain cases, the information in your worksheet may be disclosed to the Department of Justice, court, or other adjudicative body when (a) the Commission; or (b) any employee of the Commission; or (c) the United States government, is a party to a proceeding before the body or has an interest in the proceeding.

Reporting entities failing to file the worksheet in a timely fashion may be subject to penalties under the Communications Act, including sections 502 and 503 (b).

## Selected Form 477 Data as of December 31, 2004

Holding Company	State	Lines and channels that are provided to unaffiliated carriers under a UNE loop arrangement, where switching is not provided			Lines and channels that are provided to unaffiliated carriers under a UNE loop arrangement, where switching is also provided		
		Total	% used for residential & small business users	% in ILEC COLO switching centers	Total	% used for residential & small business users	% in ILEC COLO switching centers
BellSouth Corporation	Alabama	10,348	0%	100%	244,905	98%	76%
BellSouth Corporation	Florida	154,480	0%	100%	734,649	97%	95%
BellSouth Corporation	Georgia	52,423	0%	100%	574,358	97%	84%
BellSouth Corporation	Kentucky	2,784	0%	100%	167,411	96%	73%
BellSouth Corporation	Louisiana	24,856	0%	100%	241,028	96%	75%
BellSouth Corporation	Mississippi	7,178	0%	100%	167,912	97%	56%
BellSouth Corporation	North Carolina	43,081	0%	100%	220,550	98%	86%
BellSouth Corporation	South Carolina	11,571	0%	100%	145,268	96%	75%
BellSouth Corporation	Tennessee	39,453	0%	100%	288,581	97%	71%
Qwest Communications International, Inc	Arizona	41,158	0%	100%	194,778	0%	94%
Qwest Communications International, Inc	Colorado	82,208	0%	100%	129,825	0%	87%
Qwest Communications International, Inc	Idaho	8,368	0%	100%	25,675	0%	73%
Qwest Communications International, Inc	Iowa	67,486	0%	100%	78,096	0%	84%
Qwest Communications International, Inc	Minnesota	124,287	0%	100%	187,270	0%	82%
Qwest Communications International, Inc	Montana	4,194	0%	100%	9,581	0%	65%
Qwest Communications International, Inc	Nebraska	19,816	0%	100%	50,082	0%	57%
Qwest Communications International, Inc	New Mexico	9,404	0%	100%	34,841	0%	73%
Qwest Communications International, Inc	North Dakota	22,493	0%	100%	26,480	0%	77%
Qwest Communications International, Inc	Oregon	64,439	0%	100%	125,146	0%	86%
Qwest Communications International, Inc	South Dakota	6,180	0%	100%	33,354	0%	67%
Qwest Communications International, Inc	Utah	52,596	0%	100%	85,774	0%	83%
Qwest Communications International, Inc	Washington	73,013	0%	100%	161,280	0%	89%
Qwest Communications International, Inc	Wyoming	894	0%	100%	27,614	0%	90%
SBC Communications, Inc.	Arkansas	20,656	66%	99%	110,896	96%	44%
SBC Communications, Inc	California	414,443	67%	97%	1,434,408	89%	92%
SBC Communications, Inc (SNET)	Connecticut	44,532	89%	99%	49,919	84%	78%
SBC Communications, Inc (Woodbury)	Connecticut	0					
SBC Communications, Inc	Illinois	266,981	76%	100%	835,984	98%	88%
SBC Communications, Inc	Indiana	40,032	51%	92%	266,179	100%	71%
SBC Communications, Inc	Kansas	11,700	77%	79%	181,888	88%	69%
SBC Communications, Inc	Michigan	201,642	77%	97%	1,117,877	99%	78%
SBC Communications, Inc	Missouri	36,479	67%	86%	195,101	85%	82%
SBC Communications, Inc	Nevada	6,202	35%	98%	6,871	98%	84%
SBC Communications, Inc	Ohio	102,099	70%	100%	625,474	100%	77%
SBC Communications, Inc	Oklahoma	9,778	81%	83%	73,151	82%	64%
SBC Communications, Inc	Texas	174,257	70%	81%	1,333,896	90%	84%
SBC Communications, Inc	Wisconsin	207,790	79%	99%	235,117	100%	85%
Verizon (formerly Bell Atlantic)	Connecticut	2,926	0%	100%	1,979	56%	100%
Verizon (formerly Bell Atlantic)	Delaware	24,284	0%	100%	54,520	73%	93%
Verizon (formerly Bell Atlantic)	District of Columbia	18,207	0%	98%	32,730	61%	83%
Verizon (formerly Bell Atlantic)	Maine	21,649	0%	100%	88,671	79%	66%
Verizon (formerly Bell Atlantic)	Maryland	106,974	0%	100%	400,391	75%	87%
Verizon (formerly Bell Atlantic)	Massachusetts	148,438	0%	100%	320,373	59%	85%
Verizon (formerly Bell Atlantic)	New Hampshire	40,908	0%	100%	51,841	66%	86%
Verizon (formerly Bell Atlantic)	New Jersey	62,243	0%	100%	1,031,004	71%	81%
Verizon (formerly Bell Atlantic)	New York	361,085	0%	100%	2,430,935	80%	88%
Verizon (formerly Bell Atlantic)	Pennsylvania	243,086	0%	100%	619,646	67%	82%
Verizon (formerly Bell Atlantic)	Rhode Island	35,187	0%	100%	36,961	63%	89%
Verizon (formerly Bell Atlantic)	Vermont	6,990	0%	100%	22,184	71%	83%
Verizon (formerly Bell Atlantic)	Virginia	161,700	0%	100%	328,849	76%	89%
Verizon (formerly Bell Atlantic)	West Virginia	41,456	0%	100%	33,825	81%	69%
Verizon (formerly GTE)	Arizona	0	0%	0%	0	0%	0%

**Correcting BellSouth's Business Line Count for  
 Unreasonable Digital Line Assumptions and EEL Count – 2004 Data**

Wire Center	BellSouth Claimed Lines <sup>1</sup>	Corrections			Corrected Business Lines
		Retail <sup>2</sup>	EEL Count <sup>3</sup>	Wholesale <sup>4</sup>	
NSVLTNMT	78,781	(202)	(864)	(7,873)	69,842
KNVLTNMA	37,284	(793)	(2,016)	(2,213)	32,262
MMPHTNOA	36,686	(614)	(384)	(4,255)	31,433
MMPHTNBA	34,364	(179)	(363)	(4,621)	29,201
MMPHTNEL	30,973	(247)	(1,104)	(3,872)	25,750
NSVLTNBW	28,974	(67)	(2,760)	(4,400)	21,747
MMPHTNGT	26,311	(176)	(242)	(3,515)	22,378
NSVLTNDO	24,914	(135)	(2,449)	(3,132)	19,198
NSVLTNST	24,911	(78)	(1,200)	(3,575)	20,058
CHTGTNBR	24,314	(364)	(840)	(2,647)	20,463
MMPHTNMA	23,520	(170)	(24)	(1,847)	21,479
CHTGTNNS	23,166	(609)	(48)	(2,477)	20,032
MMPHTNSL	22,432	(299)	(120)	(2,281)	19,732
NSVLTNUN	19,987	(187)	(2,934)	(1,523)	15,343
MMPHTNMT	10,289	(144)	(240)	(1,098)	8,807

<sup>1</sup> Source: BellSouth Exhibit PAT-4.

<sup>2</sup> Correction to BellSouth retail lines eliminates BellSouth adjustment to its ARMIS 43-08 business line data that increased the *actual* number of switched business lines to include the maximum *potential* capacity of such facilities.

<sup>3</sup> Correction eliminates probably double-counting of UNE-L used as part of an EEL combination revealed by a comparison of PAT-4 to BellSouth's semiannual local competition reports to the FCC (which request a count of all UNE-L by state). Either BellSouth has incorrectly filed its Form 477 Local Competition Report with the FCC for the past 5½ years (by not including UNE-L used in combination with transport, i.e., an EEL), or BellSouth has double-counted such UNE-L in this proceeding. Until such time as BellSouth files revised Form 477 Local Competition Reports with the FCC, the Commission should conclude that the company has erred where the error advantages it (that is, by overstating the number of UNE-L in this proceeding).

<sup>4</sup> Correction to UNE-L assumes that the average utilization of CLEC digital UNE-L to provide switched access line service to business customers is the same as BellSouth's average utilization.

Corrected Wire Center Classifications (09/17/2005)

Wire Center	Business Lines		Fiber-Based Collocator		Transport Tier			No §251 Loop	
	Claimed	Corrected	Claimed	Validated	Denied <sup>1</sup>	Tier 1	Tier 2	Tier 3	DS3 DS1
NSVLTNMT	78,781	69,842							
KNVLTNMA	37,284	32,262							
MMPHTNOA	36,686	31,433							
MMPHTNBA	34,364	29,201							
MMPHTNEL	30,973	25,750							
NSVLTNBW	28,974	21,747							
MMPHTNGT	26,311	22,378							
NSVLTNDO	24,914	19,198							
NSVLTNST	24,911	20,058							
CHTGTNBR	24,314	20,463							
MMPHTNMA	23,520	21,479							
CHTGTNNS	23,166	20,032							
MMPHTNSL	22,432	19,732							
NSVLTNUN	19,987	15,343							
MMPHTNMT	10,289	8,807							

Columns will be updated with most current FBC information in accordance with Stipulated Agreement with BellSouth

§ 251 Transport Decision Rule				
Category	Business Lines	Fiber-Based Collocator	Consequence	
Tier 1	>38,000	4 or more	No DS1 or DS3	
Tier 2	>24,000	3 or more	No DS3	

§251 Loop Decision Rule				
Business Lines	Fiber-Based Collocator	Consequence		
> 60,000	4 or more	No DS1 or DS3		
>38,000	3 or more	No DS3		

<sup>1</sup> Denial counts highlighted by an asterisk (\*) include a reduction to prevent the double counting of SBC and AT&T.